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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,557	09/29/2004	Hiroshi Kakuda	09812.0396-00000	5886
22852 7590 02/03/2009 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413				
EXAMINER ABDUL-ALL, OMAR R				
ART UNIT 2178		PAPER NUMBER		
MAIL DATE 02/03/2009		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/509,557

**Applicant(s)**

KAKUDA, HIROSHI

**Examiner**

OMAR ABDUL-ALI

**Art Unit**

2178

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 5-19 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-19, and 21-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

The following action is in response to the Request for Continued Examination (RCE) filed November 20, 2008. Amended Claims 1-3, 5-19, and 21-24 are pending and have been considered below.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 6, 8, 15-19, and 21-24 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes et al. (US 2002/0143805) in view of Vidal (US 6,914,551).

Claims 1, 18, and 19: Hayes discloses a readable medium and device, comprising:

a. detection means for detecting an information processing apparatus through wireless communication (page 6, paragraph 93);

Hayes discloses a first acquisition means for acquiring operation screen information of a plurality of said information processing apparatuses, with each operation screen including a full display for controlling the corresponding information processing apparatus (page 6, paragraph 93/page 7, paragraph 116). Specifically, Hayes discloses supporting full operation screens for multiple devices in a single display

region '24' of Figure 1. The example shows a full screen for television controls. Hayes does not explicitly disclose acquiring the operation screen information when the information processing apparatuses are detected. Vidal discloses a similar apparatus and method, further comprising devices presenting unique display information when they are discovered by a discovery command sent by the device. Hayes further discloses performing two-way communication between the remote sources and the remote control, and changing the operation screen for each device in such a way that only functions that are supported by that device are displayed. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the operation screen information when the devices are detected in Hayes, because after detecting the devices, a judgment is made to output different operation screen information based on the selected device. One would have been motivated to acquire the operation screen information of information processing apparatuses when detected in order to communicate with devices that are intended for use.

Hayes modified by Vidal discloses a first display means for displaying, based only on detecting the information processing apparatus, a temporary operation screen for controlling the information processing apparatus until receiving operation screen information from the information processing apparatus. Vidal discloses a temporary appliance selection screen where the selection of a discovered appliance causes the remote to request the specification for the appliances primary menu (column 4, lines 5-40). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a temporary operation screen based only on

detecting the information processing apparatus in Hayes. One would have been motivated to provide a temporary operation screen for controlling the information processing apparatus until receiving operation screen information from the information processing apparatus in order to enable the user to efficiently manage discovered devices.

c. storage management means for storing the operation screen information (page 5, paragraph 84);

d. editing means for editing the operation screen information to display operation screen information for the plurality of information processing apparatuses in a single display region (Figure 1/page 7, paragraph 116). Specifically, Hayes discloses changing the operation screen '24' for each device in such a way that only functions that are supported by that device are displayed.

e. display means for displaying the edited operation screen information (Figure 1/page 7, paragraph 116). Specifically, Hayes discloses changing the operation screen '24' for each device in such a way that only functions that are supported by that device are displayed.

f. control means for controlling the [[said]] information processes based on an input provided to the displayed operation screens (page 8, paragraph 118). Hayes discloses controlling devices with input commands that send IR command signals to the appropriate devices.

Hayes does not explicitly disclose a detecting means for detecting when a first of the information processing apparatuses moves outside a range for the wireless

communication. However, Vidal discloses detecting when a previously discovered appliance is not currently within range and temporarily removing the appliance from the appliance list. It would have been obvious to one having ordinary skill in the art at the time the invention was made to detect when a first of the information processing apparatuses moves outside of coverage range because it was a known technique at the time the invention was made. One would have been motivated to detect when a first of the information processing apparatuses moves outside of coverage range in order to provide two-way communication between active devices.

Hayes does not explicitly disclose clearing means for clearing the display of the operation screen information for the first information processing apparatus when the first information processing apparatus moves outside the range. However, Vidal discloses detecting when a previously discovered appliance is not currently within range and temporarily removing the appliance from the appliance list. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to clear the display of the operation screen information for the first information processing apparatus when the first information processing apparatus moves outside the range in Hayes. One would have been motivated to clear the display of the operation screen information for the first information processing apparatus in order to conserve screen real estate.

Claim 2: Hayes and Vidal disclose a readable medium and device as in Claim 1 above, and Hayes further discloses:

a. said first acquisition means acquires said operation screen information from said information processing apparatus through said wireless communication (page 6, paragraph 93).

Claim 3: Hayes and Vidal disclose a readable medium and device as in Claim 1 above, and Hayes further discloses:

a. said first acquisition means acquires said operation screen information from a predetermined server managing said operation screen information through said wireless communication (page 5, paragraph 92).

Claim 6: Hayes and Vidal disclose a readable medium and device as in Claim 1 above, but does not explicitly disclose an intensity detection means for detecting intensities of said respective radio waves emitted from said plurality of information processing apparatuses, wherein said editing means edits, based on detection by said intensity detection means, said operation screen information so that said operation screen of said information processing apparatus that emits a high intensity radio wave is displayed by priority. However, it would have been obvious to include an intensity detection means for detecting intensities of radio waves emitted from remote devices in order to display these devices in order of priority. For example, when detecting wireless networks in the computer arts, the networks with the highest signal strength are displayed first. One would have been motivated to include an intensity detection means in Hayes in order to only display the devices that are in range of the remote.

Claim 8: Hayes and Vidal disclose a readable medium and device as in Claim 1 above, and Hayes further discloses:

a. said editing means edits said plurality of operation screen information so that said operation screen being operated is continuously displayed (page 15, paragraph 178).

Claim 15: Hayes and Vidal disclose a readable medium and device as in Claim 1 above, and Hayes further discloses:

a. said operation screen information is described in an HTML (page 9, paragraph 134).

Claim 16: Hayes and Vidal disclose a readable medium and device as in Claim 1 above, and Hayes further discloses:

a. second acquisition means for acquiring other operation screen information in accordance with a category of said information processing apparatus, wherein said display means displays, until said operation screen information is acquired by said first acquisition means, other operation screen based on said other operation screen information acquired by said second acquisition means (page 8, paragraph 118).

Claim 17: Hayes and Vidal disclose a readable medium and device as in Claim 1 above, and Hayes further discloses:



a. if said information processing apparatus transmits said operation screen information, said first acquisition means transmits feature information indicating a feature of said control apparatus and acquires said operation screen information transmitted from said information processing apparatus in response to said transmission (page 7, paragraph 116).

Claims 21, 23, and 24: Hayes discloses a readable medium and device, comprising:

a. storage means for storing operation screen information, that is edited by the [[said]] control apparatus, the [[said]] operation screen information providing the [[a]] control apparatus with a full display operation screen, the operation screen providing controls for the information processing apparatus (page 5, paragraph 84/page 8, paragraph 123/page 9, paragraph 134/page 7, paragraph 116). Specifically, Hayes discloses changing the operation screen for each device in such a way that only functions that are supported by that device are displayed.

b. transmission means for transmitting the [[said]] said operation screen information to the said control apparatus through wireless communication in response to a request from the said control apparatus (page 6, paragraph 93). Hayes discloses two-way communication between the remote and devices including accessing, processing, and displaying data from the remote sources.

c. wherein the control apparatus edits the operating screen information to display a plurality of operating screens for a plurality of information processing apparatuses within a single display (page 7, paragraph 116/Figure 1/page 9, paragraph 134). Hayes

discloses supporting operation screens for multiple devices in a single display region '24' of Figure 1.

Hayes does not explicitly disclose the control apparatus removes the display of the operating screen for the information processing apparatus when the information processing apparatus moves outside a range of the wireless communication. However, Vidal discloses detecting when a previously discovered appliance is not currently within range and temporarily removing the appliance from the appliance list. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to clear the display of the operation screen information for the first information processing apparatus when the first information processing apparatus moves outside the range in Hayes. One would have been motivated to clear the display of the operation screen information for the first information processing apparatus in order to conserve screen real estate.

Hayes modified by Vidal discloses a first display means for displaying, after detecting the information processing apparatus, a temporary operation screen for controlling the information processing apparatus. Hayes discloses providing operation screens for individual devices (page 8, paragraph 123). Vidal discloses a temporary appliance selection screen where the selection of a discovered appliance causes the remote to request the specification for the appliances primary menu (column 4, lines 5-40). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a temporary operation screen based only on detecting the information processing apparatus in Hayes. One would have been

motivated to provide a temporary operation screen for controlling the information processing apparatus until receiving operation screen information from the information processing apparatus in order to enable the user to efficiently manage discovered devices.

Claim 22: Hayes discloses a readable medium and device as in Claim 21 above, further comprising:

a. wherein the operation screen information is selected based on feature information indicating a feature of said control apparatus, wherein said transmission means transmits the selected said operation screen information (page 7, paragraph 116). Specifically, Hayes discloses changing the operation screen for each device in such a way that only functions that are supported by that device are displayed.

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes et al. (US 2002/0143805) in view of Vidal (US 6,914,551) and further in view of Novak et al. (US 2003/0237043).

Claim 7: Hayes discloses a readable medium and device, comprising:

a. detection means for detecting an information processing apparatus through wireless communication (page 6, paragraph 93);

Hayes discloses a first acquisition means for acquiring operation screen information of a plurality of said information processing apparatuses, with each operation screen including a full display for controlling the corresponding information processing apparatus (page 6, paragraph 93/page 7, paragraph 116). Specifically, Hayes discloses supporting full operation screens for multiple devices in a single display region '24' of Figure 1. The example shows a full screen for television controls. Hayes does not explicitly disclose acquiring the operation screen information when the information processing apparatuses are detected. Vidal discloses a similar apparatus and method, further comprising devices presenting unique display information when they are discovered by a discovery command sent by the device. Hayes further discloses performing two-way communication between the remote sources and the remote control, and changing the operation screen for each device in such a way that only functions that are supported by that device are displayed. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the operation screen information when the devices are detected in Hayes, because after detecting the devices, a judgment is made to output different operation screen information based on the selected device. One would have been motivated to acquire the operation screen information of information processing apparatuses when detected in order to communicate with devices that are intended for use.

c. storage management means for storing the operation screen information (page 5, paragraph 84);

d. editing means for editing the operation screen information to display operation screen information for the plurality of information processing apparatuses in a single display region (Figure 1/page 7, paragraph 116). Specifically, Hayes discloses changing the operation screen '24' for each device in such a way that only functions that are supported by that device are displayed.

e. display means for displaying the edited operation screen information (Figure 1/page 7, paragraph 116). Specifically, Hayes discloses changing the operation screen '24' for each device in such a way that only functions that are supported by that device are displayed.

f. control means for controlling the [[said]] information processes based on an input provided to the displayed operation screens (page 8, paragraph 118). Hayes discloses controlling devices with input commands that send IR command signals to the appropriate devices.

Hayes does not explicitly disclose an intensity detection means of detecting intensities of radio waves emitted from the plurality of information processing apparatuses. However, Vidal discloses detecting when a previously discovered appliance is not currently within range and temporarily removing the appliance from the appliance list. This indicates that an intensity detection means is included in Vidal. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include an intensity detection means for detecting intensities of radio waves emitted from the plurality of information processing apparatuses in Hayes. One

would have been motivated to include an intensity detection means in order to provide two-way communication between active devices.

Vidal discloses the display means determines, based on the intensities, whether the control apparatus is out of communication coverage with the information processing apparatuses. Specifically, Vidal discloses detecting when a previously discovered appliance is not currently within range and temporarily removing the appliance from the appliance list. However, Hayes modified by Vidal does not explicitly disclose increasing the transparency of the corresponding operation screen gradually at predetermined times when the control apparatus is out of the communication coverage, the communication coverage including a defined vicinity to the control apparatus. Novak discloses a similar interface that further discloses fading media player controls over time by increasing a translucency value (page 5, paragraph 57). It would have been obvious to one having ordinary skill in the art to add this effect to Hayes because gradually increasing transparency of an operation screen at predetermined times was recognized as a known technique at the time the invention was made. One would have been motivated to gradually increase the transparency of the operation screen information for the first information processing apparatus in order to conserve screen real estate. Though the references do not disclose the communication coverage includes a defined vicinity to the control apparatus, the Examiner takes OFFICIAL NOTICE that a defined communication coverage range is old and well known in the computer arts. Further, Vidal teaches detecting whether or not an appliance is in range of the device, which provides reasonable suggestion that a coverage range is defined for the device. One

would have been motivated to include a communication coverage with a defined vicinity in order to notify the user of the distance limit between the control apparatus and the discovered devices.

6. Claims 5, and 9-13 rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes et al. (US 2002/0143805) in view of Vidal (US 6,9914,551) and further in view of Hideyuki (JP 09-023487).

Claim 5: Hayes and Vidal disclose a readable medium and device as in Claim 1 above, but neither reference explicitly discloses said storage management means clears less frequently used operation screen information from among said operation screen information, said storage of which is managed. Hideyuki discloses a similar device that further discloses no longer displaying the symbol of a function that is hardly used, decreasing the number of symbols on the display (paragraph 36). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to clear less frequently used operation screen information in Hayes. One would have been motivated to clear less frequently used operation screen information to only present the user with operation screen information that is needed.

Claim 9: Hayes and Vidal disclose a readable medium and device as in Claim 1 above, but neither reference explicitly discloses a history management means for managing a history of control of said information processing apparatus, which is performed by said

control means. Hideyuki discloses a similar device that further discloses tracking the operating frequency of specific users, and changing the display pattern in a display means according to the tracking result (paragraph 11/paragraphs 14-15). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a history management means in Hayes. One would have been motivated to include a history management means in order to personalize the display for a user according to usage patterns.

Claim 10: Hayes, Vidal, and Hideyuki disclose a readable medium and device as in Claim 9 above, and Hideyuki further discloses tracking the operating frequency of control functions for each user, and choosing the display pattern according to the operating frequency of said control function (paragraphs 14-15). Though neither reference explicitly discloses displaying the most recently operated function by priority, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the design disclosed by Hideyuki to display the most recently operated function by priority. One would have been motivated to display the most recently operated function by priority in order to allow the user to easily access the last function used when operating the remote.

Claim 11: Hayes, Vidal, and Hideyuki disclose a readable medium and device as in Claim 9 above, and Hideyuki further discloses tracking the operating frequency of control functions for each user, and choosing the display pattern according to the



operating frequency of said control function (paragraphs 14-15). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to edit said operation screen information screen information so that a most frequently used operation screen is displayed by priority. One would have been motivated to display a most frequently used operation screen by priority in order to provide a display pattern catered to a user's interest.

Claim 12: Hayes, Vidal, and Hideyuki disclose a readable medium and device as in Claim 9 above, and Hideyuki further discloses tracking the operating frequency of control functions for each user, and choosing the display pattern according to the operating frequency of said control function (paragraphs 14-15). Though neither reference explicitly discloses editing the operation screen based on which operation screen information is most likely to be used within a period of time, including a current time, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the data tracked by the history management means in Hideyuki would include usage according to time. One would have been motivated to edit the display based on a period of time in order to allow the user to view the operations that are most likely to be used at a certain time of the day.

Claim 13: Hayes, Vidal, and Hideyuki disclose a readable medium and device as in Claim 9 above, and Hideyuki further discloses tracking the operating frequency of control functions for each user, and choosing the display pattern according to the

operating frequency of said control function (paragraphs 14-15). Hayes further discloses an operating screen with TV, Cable, and VCR controls included on the same screen (Figure 1). Therefore, it would have been obvious to one having ordinary skill in the art to provide a selection means for selecting other information processing apparatus relevant to said information processing apparatus based on said history managed by said history management means, so that said operation screen of said other processing apparatus is selected by said selection means is displayed together with said operation screen of said information processing apparatus. One would have been motivated to display relevant operation screens together in order to allow the user to easily operate the appliances that are most likely to be used together.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes et al. (US 2002/0143805) in view of Vidal (US 6,914,551) and further in view of Van Ee et al. (US 2005/0149870).

Claim 14: Hayes discloses a readable medium and device, comprising:

a. detection means for detecting an information processing apparatus through wireless communication (page 6, paragraph 93);

Hayes discloses a first acquisition means for acquiring operation screen information of a plurality of said information processing apparatuses, with each operation screen including a full display for controlling the corresponding information processing apparatus (page 6, paragraph 93/page 7, paragraph 116). Specifically,

Hayes discloses supporting full operation screens for multiple devices in a single display region '24' of Figure 1. The example shows a full screen for television controls. Hayes does not explicitly disclose acquiring the operation screen information when the information processing apparatuses are detected. Vidal discloses a similar apparatus and method, further comprising devices presenting unique display information when they are discovered by a discovery command sent by the device. Hayes further discloses performing two-way communication between the remote sources and the remote control, and changing the operation screen for each device in such a way that only functions that are supported by that device are displayed. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the operation screen information when the devices are detected in Hayes, because after detecting the devices, a judgment is made to output different operation screen information based on the selected device. One would have been motivated to acquire the operation screen information of information processing apparatuses when detected in order to communicate with devices that are intended for use.

c. storage management means for storing the operation screen information (page 5, paragraph 84);

d. editing means for editing the operation screen information to display operation screen information for the plurality of information processing apparatuses in a single display region (Figure 1/page 7, paragraph 116). Specifically, Hayes discloses changing the operation screen '24' for each device in such a way that only functions that are supported by that device are displayed.

e. display means for displaying the edited operation screen information (Figure 1/page 7, paragraph 116). Specifically, Hayes discloses changing the operation screen '24' for each device in such a way that only functions that are supported by that device are displayed.

f. control means for controlling the [[said]] information processes based on an input provided to the displayed operation screens (page 8, paragraph 118). Hayes discloses controlling devices with input commands that send IR command signals to the appropriate devices.

Hayes does not explicitly disclose the selection means selects a second information processing apparatus that is relevant to the information processing apparatus based on a time difference between times at which the information processing apparatus and the second information processing apparatus are respectfully controlled. Van Ee discloses a similar system that further discloses tracking temporal states of user selections to track elapsed time between user selections. This temporal state tracking allows the system to maintain context and define relationships between user selections such as turning on the TV and VCR. Clusters are created to group related device functions based on the context and relationships determined by the temporal state tracking (page 8, paragraphs 66-68). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to select a second information processing apparatus based on a time difference between times at which the information processing apparatus and the second information

processing apparatus are respectfully controlled in Hayes. One would have been motivated to include this limitation in order to increase operator efficiency.

Hayes modified by Van Ee discloses the display means displays the operation screens for the information processing apparatus and the second information processing apparatus together. Hayes discloses an operating screen with TV, Cable, and VCR controls included on the same screen (Figure 1). Van Ee discloses including TV ON and VCR ON functions on the same display screen (Figure 4).

Hayes modified by Vidal discloses the display means displays in a larger frame a most recently used one of the operation screen for the information processing apparatus (Figure 1) and the second information processing apparatus. Vidal discloses detected devices present unique display information when they are discovered by a discovery command sent by the device. Each device is displayed in the large frame '24' of Figure 1. The Examiner notes that the amended claim language may be broadly and reasonably interpreted as the display of either the most recently used apparatus and the second information processing apparatus in the large frame.

### ***Response to Arguments***

5. Applicant's arguments filed 10/15/2008 have been fully considered but they are not persuasive.

Claim 1: Applicant argues, "neither Hayes nor Vidal, taken individually or in combination, teaches or suggests displaying the claimed, "temporary operation screen" before acquiring operation screen information, as recited by claim 1." The examiner

respectfully disagrees. Vidal discloses a temporary appliance selection screen where the selection of a discovered appliance causes the remote to request the specification for the appliances primary menu (column 4, lines 5-40). The applicant further states, "In contrast to Hayes and Vidal, claim 1 allows a user to control and information processing apparatus with a temporary operation screen while acquiring operation screen information of a plurality of information processing apparatuses. However, the claim language does not require that the temporary operation screen is displayed "while" acquiring operation screen information from the information processing apparatus. The selection of an appliance from the temporary control screen in Vidal causes the appliance to send its menu specification to the remote device in an additional screen (Figure 3).

Claim 7: Applicant argues, "Novak is unrelated to "a control apparatus controlling an information processing apparatus" and detecting whether a device is out of communication coverage" as required by claim 7. However, the Examiner notes that the Novak reference is relied upon solely to provide the teaching of a transparency effect that is applied over time to graphics, and it would have been obvious to a skilled artisan to apply an effect such as this to the graphical display of Hayes.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OMAR ABDUL-ALI whose telephone number is (571)270-1694. The examiner can normally be reached on Mon-Fri(Alternate Fridays Off) 8:30 - 6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OAA  
2/01/2009

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